

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

IN RE: CIRCUIT CITY STORES, INC., et al., )  
 Debtors. ) Case No. 08-35653-KRH  
 ) Jointly Administered  
 ) Chapter 11 Proceedings

**ORDER GRANTING MOTION OF PORT ARTHUR HOLDINGS, III, LTD  
FOR AN ORDER COMPELLING DEBTOR TO IMMEDIATELY PAY  
POST-PETITION RENT AND OTHER RELATED CHARGES  
PURSUANT TO 11 U.S.C. § 365(d)(3) AND GRANTING RELATED RELIEF**

This matter having come before the Court upon the Motion of Port Arthur Holdings, III, LTD (“Port Arthur”) for an Order Compelling Debtor to Immediately Pay Post-Petition Rent and Other Related Charges Pursuant to 11 U.S.C. § 365(d)(3) and Granting Related Relief (the “Motion”) filed in the bankruptcy case of the above-captioned debtors and debtors in possession, including specifically Circuit City Stores, Inc. (the “Debtor”), the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 AND 1334, (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) proper and adequate notice of the motion and the opportunity for a hearing thereon has been given and no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and the arguments presented at any hearing had thereupon. Therefore,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is **GRANTED**.
2. Unless otherwise defined herein each capitalized term shall have the meaning ascribed to it in the Motion.
3. The Debtor is authorized and directed to pay to Port Arthur within two (2) business days of the entry of this Order, the Post-Petition Rent and other related charges for the Post-Petition Period in the total aggregate amount of \$27,302.76.
4. The Debtor shall, within two (2) business days of its receipt of a written request

from Port Arthur therefor, reimburse Port Arthur for all of its reasonable attorneys' fees and costs incurred in preparing and prosecuting the Motion.

5. The Debtor shall make all future monthly payments of Post-Petition Rent and other related charges to Port Arthur in full on or before the first day of the month for which such rent and related charges become due under the Lease.

6. This Court retains jurisdiction to enforce and implement the terms and provisions of this Order and to resolve any and all disputes related thereto.

**ENTERED** in Richmond, Virginia this \_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE  
FOR THE EASTERN DISTRICT OF VIRGINIA

WE ASKED FOR THIS:

JACKSON & CAMPBELL, P.C.

By: /s/ David H. Cox  
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**LOCAL BANKRUPTCY RULE 9022-1 CERTIFICATION**

Pursuant to Local Bankruptcy Rule 9022-1 (C), I hereby certify that a true and correct copy of the forgoing proposed Order has been endorsed by or served upon all necessary parties receiving electronic notice via the Court's CM/ECF system, as appropriate, by electronic means and by First Class Mail (postage prepaid) on the following attached Service List and on the following parties via US regular mail, on this the 16<sup>th</sup> day of December, 2008.

Circuit City Stores, Inc.  
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Attn: Daniel W. Ramsey  
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By: /s/ David H. Cox